

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

WI-LAN USA, INC.
and WI-LAN INC.,

Plaintiffs,

v.

TOSHIBA CORPORATION; TOSHIBA AMERICA, INC.; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; and TOSHIBA AMERICA INFORMATION SYSTEMS, INC.,

Defendants.

13-MISC-00311

Case No: Misc _____
(S.D. Fla. Case No. 12-Civ-23744-
Middlebrooks/Brannon)

**WI-LAN USA, INC. AND WI-LAN INC.'S NOTICE OF MOTION TO COMPEL
COMPLIANCE WITH SUBPOENA TO TIME WARNER CABLE INC.**

PLEASE TAKE NOTICE that, pursuant to Rule 45(c)(2)(B)(i) of the Federal Rules of Civil Procedure, upon the annexed Declaration of Brian P. O'Donnell, together with supporting exhibits annexed thereto, and the accompanying Memorandum of Law, the undersigned, counsel for Wi-LAN USA, Inc. and Wi-LAN Inc., will move this Court, located at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for an Order compelling Time Warner Cable Inc. to comply with subpoenas duly issued by this Court, and granting such and further relief as the Court deems just and proper.

Dated: August 30, 2013

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

By: Frederick L. Whitmer

Frederick L. Whitmer
1114 Avenue of the Americas #21
New York, NY 10036
Telephone: (212) 775-8700
Facsimile: (212) 775-8800
Email: fwhitmer@kilpatricktownsend.com

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2013, a true and correct copy of the foregoing was filed and served by electronic mail to the following:

David S. Benyacar
KAYE SCHOLER LLP
425 Park Avenue
New York, NY 10022
Tel: (212) 836-8000
Fax: (212) 836-8689
Email: david.benyacar@kayescholer.com

Doris Johnson Hines
Joyce Craig
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Avenue, N.W.
Washington, D.C. 20001
Tel: (202) 408-4000
Fax: (202) 408-4400
Emails: dori.hines@finnegan.com; joyce.craig@finnegan.com

Emmanuel Azih
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
3500 SunTrust Plaza
303 Peachtree Street, N.E.
Atlanta, GA 30308
Tel: (404) 653-6400
Fax: (404) 653-6444
Email: emmanuel.azih@finnegan.com

Terri Meyers
KLUGER, KAPLAN, SILVERMAN,
KATZEN & LEVINE, P.L.
Miami Center - 17th Floor
Miami, FL 33131
Tel: (305) 379-9000
Fax: (305) 379-3428
Email: tmeyers@klugerkaplan.com

/_s_____